

HUMAN RIGHTS WATCH

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HRW.org

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Re: Ethnic Turkic refugees and asylum seekers from China

Dear Ministers,

We write regarding the status of ethnic Turkic refugees and asylum seekers from China in your country.

Over the past year, Human Rights Watch has extensively documented gross human rights violations in Xinjiang, a region of northwestern China with a population of approximately 11 million ethnic Turkic Muslims. We have detailed the authorities' arbitrary collection of Xinjiang residents' biodata¹ without their consent, and highly intrusive surveillance tactics including having local officials "home stay"² with ethnic minority families and placing QR codes on their front doors so that authorities can monitor residents' conduct. In September 2018, we published a detailed report³ on the legally-baseless "political education" camps, in which credible estimates suggest a million people are being arbitrarily detained. Our research documents torture and political indoctrination in these camps, and pervasive restrictions on human rights outside the camps.

This latest government "Strike Hard" campaign does not stop at China's borders. In our recent report and other communications, we have detailed the Chinese government's efforts to harass, intimidate, and threaten members of the Uyghur diaspora around the world,⁴ often in an attempt to compel them to return to China,⁵ or provide information regarding family members who remain in China. We have documented instances of forced returns of ethnic Uyghurs to China from

¹ <https://www.hrw.org/news/2017/12/13/china-minority-region-collects-dna-millions>

² <https://www.hrw.org/news/2018/05/13/china-visiting-officials-occupy-homes-muslim-region>

³ <https://www.hrw.org/report/2018/09/09/eradicating-ideological-viruses/chinas-campaign-repression-against-xinjiangs>

⁴ <https://www.hrw.org/news/2017/05/23/chinas-rights-abuses-infect-un>

⁵ <https://www.hrw.org/news/2017/07/07/egypt-dont-deport-uyghurs-china>

Cambodia,⁶ Nepal, Pakistan, and Thailand,⁷ among others; all are at grave risk of further abuses⁸ and few if any of those forced back have been heard from again. Some are known to have been prosecuted and ill-treated in detention.

We are encouraged by the recent decisions made by a few European Union member states to suspend deportations of Uyghurs to China, given the current crackdown in Xinjiang. We were similarly heartened by Malaysia's recent decision to allow 11 Uyghur asylum seekers to go to Turkey.

In its October 4, 2018 resolution⁹ on the "Mass arbitrary detentions of Uyghurs and Kazaks in the Xinjiang Autonomous Region," the European Parliament welcomed the decisions taken by Germany and Sweden and called on all other EU member states to follow suit and to expedite asylum claims by Turkic Muslims at risk of being forcibly returned to China; the European Parliament also called on EU member states to invoke domestic law, as appropriate, to investigate the Chinese government's intimidation of Turkic Muslim diaspora communities in Europe.

In light of the above facts and the calls formulated by the European Parliament, we urge your government to not forcibly return ethnic Uyghurs, Kazakhs, or other Turkic Muslims to China without providing a full and fair individualized examination of their risk of being persecuted, or tortured or ill-treated, in China. This would be consistent with your government's obligations under the 1951 Refugee Convention and the 1967 Protocol, as well as the Convention against Torture. We also urge that your government expedite the asylum claims of individuals from this community, and that it investigates the Chinese government's intimidation of Turkic Muslim diaspora communities and invoke domestic law as appropriate. The situation for those forcibly returned prior to the current crackdown was bleak; the reality now is grim.

We look forward to working with you on this urgent matter.

Yours sincerely,

Lotte Leicht
EU Advocacy Director
Human Rights Watch

Sophie Richardson
China Director
Human Rights Watch

⁶ <https://www.hrw.org/news/2011/09/02/china-account-forcibly-returned-uyghurs>

⁷ <https://www.hrw.org/news/2014/03/14/thailand-dont-forcibly-return-uyghurs-china>

⁸ <https://www.hrw.org/news/2009/12/22/china-forcibly-returned-uyghur-asylum-seekers-risk>

⁹ <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2018-0377&language=EN&ring=P8-RC-2018-0460>

CC:

President of the European Council, Mr Donald Tusk

Head of Cabinet of the President of the European Council, Mr Piotr Serafin

High Representative for Foreign Affairs, Ms Federica Mogherini

Head of Cabinet of the EU's High Representative for Foreign Affairs, Mr Stefano Grassi

Commissioner for Migration, Home Affairs and Citizenship, Mr Dimitris Avramopoulos

Head of Cabinet of the Commissioner for Migration, Home Affairs and Citizenship, Ms Diane Schmitt

Chair of the Council's Working Group on Asia, Mr Filip Grzegorzewski

Members of the Council's Working Group on Asia

Members of the Council's Justice and Home Affairs Working Party

President of the European parliament, Mr Antonio Tajani

Chair of the European Parliament's Committee for Foreign Affairs, Mr David McAllister

Vice-Chairs of the European Parliament's Committee for Foreign Affairs

Chair of the European Parliament's Subcommittee for Human Rights, Mr Pierantonio Panzeri

Vice-Chairs of the European Parliament's Subcommittee for Human Rights

Chair of the European Parliament's Committee on Civil Liberties, Justice and Home Affairs, Mr Claude Moraes

Vice-Chairs of the European Parliament's Committee on Civil Liberties, Justice and Home Affairs